

Galen T. Shimoda (Cal. State Bar No. 226752)  
 Justin P. Rodriguez (Cal. State Bar No. 278275)  
 Renald Konini (Cal. State Bar No. 312080)  
**Shimoda & Rodriguez Law, PC**  
 9401 East Stockton Boulevard, Suite 120  
 Elk Grove, CA 95624  
 Telephone: (916) 525-0716  
 Facsimile: (916) 760-3733  
 Email: attorney@shimodalaw.com  
 jrodriguez@shimodalaw.com

Attorneys for Plaintiff SILVIA MADRIGAL VARGAS  
 individually and on behalf of similarly situated employees

G. Daniel Newland (SBN 87965)  
 Robin E. Devaux (SBN 233444)  
**SEYFARTH SHAW LLP**  
 560 Mission Street, 31<sup>st</sup> Floor  
 San Francisco, CA 94105  
 Telephone: (415) 397-2823  
 Facsimile: (415) 397-8549

Sophia S. Kwan (SBN 257666)  
 Seyfarth Shaw LLP  
 400 Capitol Mall, Suite 2350  
 Sacramento, California 95814-4428  
 Telephone: (916) 448-0159  
 Facsimile: (916) 558-4839

Attorneys for MARY ANN'S BAKING CO., INC.

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

SILVIA MADRIGAL VARGAS,  
 individually and on behalf of all other  
 similarly situated employees,

Plaintiffs,

vs.

MARY ANN'S BAKING CO., INC., a  
 California Corporation; and DOES 1 to 100,  
 inclusive

Defendant.

**Case No. 2:21-CV-00320-DAD-JDP**

**STIPULATION AND [PROPOSED]  
 ORDER TO DISMISS PLAINTIFF'S  
 INDIVIDUAL CLAIMS WITH  
 PREJUDICE AND CLASS CLAIMS  
 WITHOUT PREJUDICE**

Complaint Filed: January 11, 2021  
 Removal: February 19, 2021  
 Trial Date: None Set

1 This Stipulation and proposed Order is entered into between Plaintiff SILVIA MADRIGAL  
2 VARGAS (“Plaintiff”) and Defendant MARY ANN’S BAKING CO., INC., (“Defendant”) (all  
3 collectively, the “Parties”), by and through their counsel of record, as follows:

4 WHEREAS, on September 14, 2020, Michael Grebe filed a Complaint against Defendant in the  
5 Superior Court of the State of California, County of Sacramento, Case No. 34-2020-00285254 (“Grebe  
6 Action”), alleging wage and hour class claims. On January 11, 2021, Plaintiff filed a wage and hour  
7 class Complaint alleging similar claims against Defendant in the Superior Court of the State of  
8 California, County of Sacramento, Case No. 34-2021-00292191, which was removed to the United  
9 States District Court for the Eastern District of California on February 19, 2021, Case No. 2:21-CV-  
10 00320-DAD-JDP;

11 WHEREAS, the parties in the Grebe Action and this case participated in a global mediation,  
12 resolving the claims of this case and the Grebe Action in June 2022; and

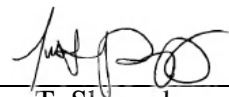
13 WHEREAS, as part of the global settlement, all parties agreed that the claims and parties in this  
14 action would be consolidated in an amended pleading filed in the earlier-filed Grebe Action to allow for  
15 Court review and approval of the proposed class action and Private Attorneys General Act (“PAGA”)  
16 settlement in a single Court. A consolidated pleading including all claims and parties was filed on May  
17 11, 2022, in the Grebe Action and the class and PAGA settlement received final approval on May 8,  
18 2023.

19 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED that, in accordance with  
20 the Parties’ settlement agreement, this case should be dismissed with prejudice as to Plaintiff Vargas’  
21 individual claims and without prejudice as to the putative class members.

22 **Shimoda & Rodriguez Law, PC**

23  
24 Dated: May 16, 2023

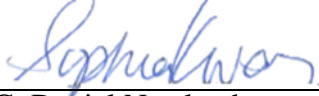
By: \_\_\_\_\_

  
Galen T. Shimoda  
Justin P. Rodriguez  
Renald Konini  
Attorneys for Plaintiff

**SEYFARTH SHAW LLP**

Dated: May 16, 2023

By: \_\_\_\_\_

  
G. Daniel Newland  
Sophia S. Kwan  
Robin E. Devaux  
Attorneys for Defendants

**(PROPOSED) ORDER**

The COURT, having considered the above stipulation and finding good cause, HEREBY  
ORDERS that:

1. The case is dismissed with prejudice as to Plaintiff's individual claims asserted in the litigation and the remainder of the case, including any class claims, is dismissed without prejudice.
2. No further filings by the Parties are required.
3. All deadlines in this case are vacated.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Honorable Dale A. Drozd

*Madrigal Vargas v Mary Ann's Baking Co., Inc.*  
*Eastern District of CA, Case No. 2:21-cv-00320-DAD-JDP*

**PROOF OF SERVICE — F.R.C.P., Rule 5**

I, Elias Tapia, declare that:

I am a citizen of the United States and am over the age of eighteen years and not a party to the within above-entitled action.

On May 16, 2023, I served the following documents on the party below:

- STIPULATION AND [PROPOSED] ORDER TO DISMISS PLAINTIFF'S INDIVIUDAL CLAIMS WITH PREJUDICE AND CLASS CLAIMS WITHOUT PREJUDICE

<p>Sophia S. Kwan (SBN 257666)  Seyfarth Shaw LLP  400 Capitol Mall, Suite 2350  Sacramento, CA 95814-4428  Phone: (916) 448-0159  Fax: (916) 558-4839  Email(s): dNewland@seyfarth.com;  SKwan@seyfarth.com;  RDevaux@seyfarth.com;  LNinelist@seyfarth.com;</p>	<p>Douglas Han (SBN 232858)  Shunt Tatavos-Gharajeh (SBN 272164)  Justice Law Corporation  751 N. Fair Oaks Avenue, Suite 101  Pasadena, California 91103  Telephone: (818) 230-7502  Facsimile: (818) 230-7259  Emails: dhan@justicelawcorp.com;  statavos@justicelawcorp.com  hhogdanian@justicelawcorp.com;  manderson@justicelawcorp.com;  fgonzalez@justicelawcorp.com;  shanneyan@justicelawcorp.com;  aokada@justicelawcorp.com</p>
---	--


[ ] [By Mail] I am familiar with my employer's practice for the collection and processing of correspondence for mailing with the United States Postal Service and that each day's mail is deposited with the United States Postal Service that same day in the ordinary course of business. On the date set forth above, I served the aforementioned document(s) on the parties in said action by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, for collection and mailing on this date, following ordinary business practices, at Elk Grove, California, addressed as set forth above.

[ ] [By Personal Service] By personally delivering a true copy thereof to the office of the addressee above.

[XXX] [By Electronic Mail] I e-mailed the documents(s) to the person(s) shown above. No error was reported by the e-mail service that I used.

[ ] [By Overnight Courier] By causing a true copy and/or original thereof to be personally delivered via the following overnight courier service:\_\_\_\_\_.

1 I declare under penalty of perjury under the laws of the State of California that the  
2 foregoing is true and correct, and that this declaration was executed on May 16, 2023, at Elk  
3 Grove, California.

4   
5 \_\_\_\_\_  
6 Elias Tapia  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28